

# Overview of Selected BEES Program Areas

*Bureau of Equity and  
Environmental Services (BEES)*

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# Overview

- Purpose of creation of BEES
- Areas of Administration's emphasis
- What will be the same? New?
- This presentation focuses on:
  - Title VII: AA/EEO
  - Title VI: Disadvantaged Business Enterprises
  - Community Impact Assessment (CIA)
  - Environmental Justice
  - Land Use and Transportation

## ➤ **Justification for BEES**

**Increasing the responsiveness and sensitivity to the needs of all Wisconsin directly affected by transportation projects.**

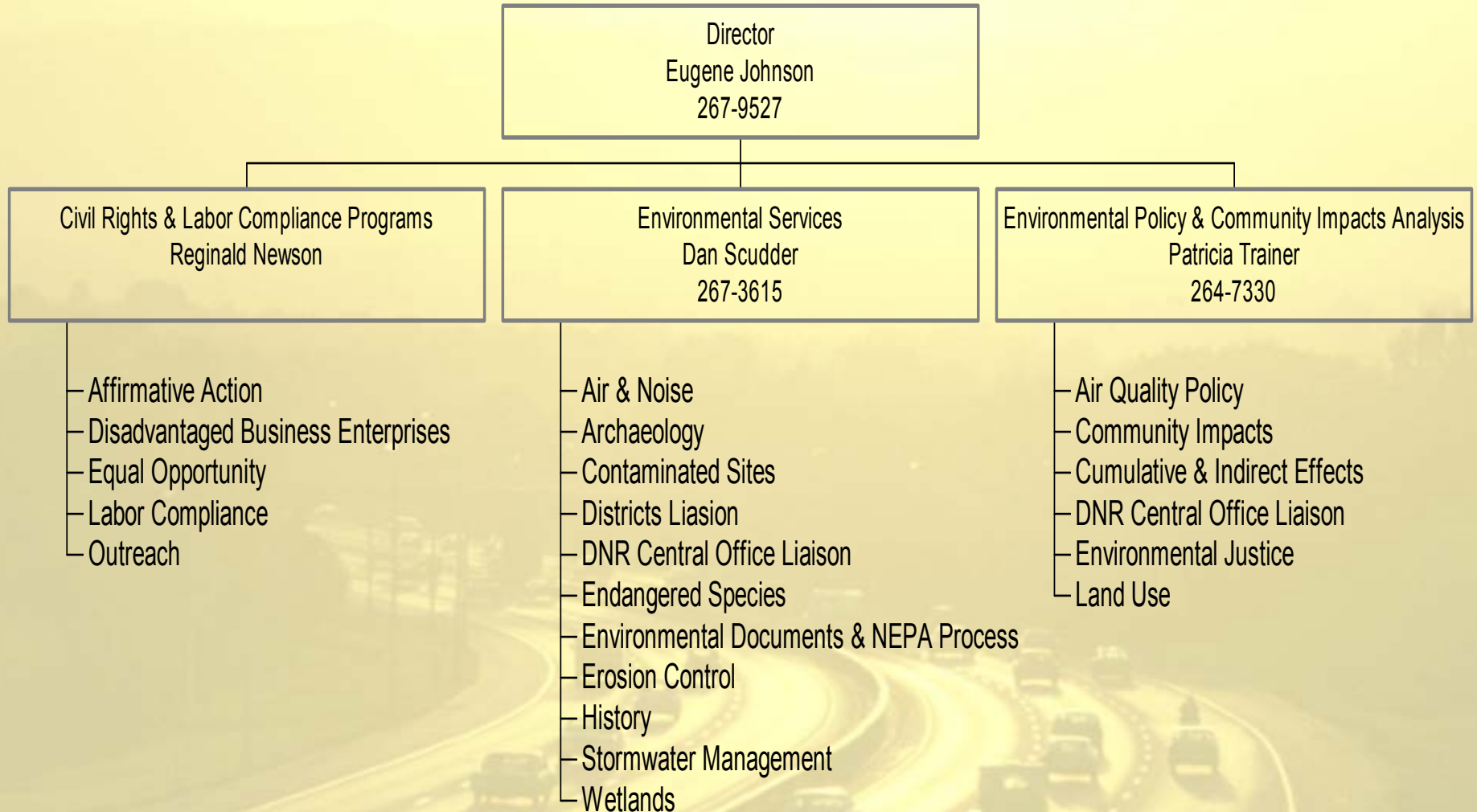
**Impacting the policy direction and implementation of environmental laws as they relate to transportation.**

**Ensuring that the long-term cumulative impacts of transportation adequately analyzed and considered in the development process.**



# Bureau of Equity and Environmental Services

## Organizational (function) Chart



# BEEES

- Expectation of BEEES
  - Future training
  - Guidance, website
  - Communication improvements
- Integration of BEEES activities
  - Currently working on examining our processes.

# **Title VII: Affirmative Action / Equal Employment Opportunity (AA/EEO)**

## **Purpose:**

- Eliminate the present effects of past discrimination and overcome underutilization.
- Provide equal opportunity in service delivery.
- Prohibit discrimination based upon protected group status.
- Evaluate each request for accommodation.
- Provide reasonable accommodation.

# **Title VI: Disadvantaged Business Enterprises (DBE)**

## **Purpose:**

- Ensures access to all people served by programs and services receiving federal financial assistance.
- Ensures non-discrimination in the provision, delivery and consumption of programs and services.

## **Requirements:**

- 42 U.S.C. 2000 requirements
- Title VI



# **Title VII: Affirmative Action / Equal Employment Opportunity (AA/EEO)**

## **Requirements:**

- Title VII of Civil Rights Act of 1964
- Federal, State, Local and Department AA/EEO laws, exec orders, regulations, rules, directives, policies, plans



# Title VII: Affirmative Action / Equal Employment Opportunity (AA/EEO)

## Expectations:

- *Discrimination Complaints:* Make sure Division administrator is aware of all complaints.
- *Discipline Process:* Notify AA/EEO unit if an employee in the AA protected group is about to be disciplined.

# Title VII: Affirmative Action / Equal Employment Opportunity (AA/EEO)

## Expectations: *(continued)*

- *Reasonable Accommodation Requests:* AA / EEO office should always be notified of a request.
- *Recruitment Process:* Discuss all recruitment processes with the AA designees and AA/EEO unit.
- *Hiring Process:* AA/EEO unit must sign off on the hiring of candidates not part of the underutilized job group.

# Title VII: Affirmative Action / Equal Employment Opportunity (AA/EEO)

## Administration's View and Emphasis:

- Hiring Process
- Fairness
- Glass ceiling

# **Title VI: Disadvantaged Business Enterprises (DBE)**

## Key Points:

- Federal government monitors WisDOT for Title VI compliance.
- Title VI acknowledges direct discrimination and disparate impact discrimination.
- An individual or entity that feels they have been discriminated against under Title VI can file a complaint with US DOJ, FHWA or WisDOT.

# **Title VI: Disadvantaged Business Enterprises (DBE)**

## Key Points:

- Limited English proficiency is a phrase given to the efforts to provide access to govt. services and programs to individuals who don't speak English primarily.
- BEES partners with DOT divisions regarding education, planning and administration.

# Community Impact Assessment (CIA)

## Purpose

- CIA is an iterative process of understanding the impacts of proposed projects on affected communities.
- CIA alerts affected communities and DOT to the likely or potential consequences of a project.

# Community Impact Assessment (CIA)

## Purpose *(continued)*

- CIA ensures that human values and concerns receive adequate attention during project development.
- CIA helps DOT to improve our decision-making processes, minimizing costly redesign and negative public feedback.



# Community Impact Assessment (CIA)

## Requirements:

*CIA fulfills*

- National Environmental Policy Act (NEPA), 1969
- Federal Aid Highway Act, 1969
- FHWA policy, 1994

# Community Impact Assessment (CIA)

## CIA Components:

- Extensive public involvement throughout the process.
- Defining the project area and area of potential impact.
- Developing a community profile.
- Analyzing the community impacts.
- Identifying solutions.
- Documenting the CIA process, findings, and commitments.

# Community Impact Assessment (CIA)

## Key Points of CIA:

- CIA is not required, however it can fulfill NEPA requirements for environmental justice and secondary and cumulative impacts analysis.
- CIA is being encouraged as a process to bring the issues together.

# Community Impact Assessment (CIA)

## Key Points of CIA: *(continued)*

- CIA is a broader effort.
  - Thinking beyond the pavement.
  - Requires give and take between DOT and the community.
- CIA is related to project process.

# Community Impact Assessment (CIA)

## Activities to achieve CIA goals:

- Use collaborative problem solving.
- Promote openness and inclusiveness in decision-making.
- Keep the public informed.
- Build positive working relationships.
- Use contacts to help identify issues.
- Establish a compliance process that tracks commitments.

# Community Impact Assessment (CIA)

## Expectations:

- Work with BEES as we:
  - Develop a process to integrate CIA into project planning and development.
  - further develop our processes for EJ, cumulative and secondary impacts analysis, land use and community planning work.
- Be open to using the CIA process as a way to improve what we do.

# Community Impact Assessment (CIA)

## Administration's View/Emphasis:

- CIA should be included in project planning and development.
- The impacts of every project should be understood, acknowledged and considered.



# Environmental Justice (EJ)

## Purpose:

- Ensures transportation, service and social equity.
- Ensures no group bears the burden.
- Involves all interested and affected people.

# Environmental Justice (EJ)

## Requirements:

- Executive Order 12898
- Federal:
  - NEPA
  - USDOT order on EJ
  - FHWA Order on EJ
  - Title VI of Civil Rights Act
  - Uniform Relocation Assistance and Real Property Acquisition Act.

# Environmental Justice (EJ)

## Implementing EJ:

- Identify whether minority population or low income populations are present.
- Assess beneficial impacts and enhancements.
- Assess adverse impacts. Identify issues of concern, controversy.
- Assess disproportionate impacts through quantitative / qualitative assessment.

# Environmental Justice (EJ)

## Implementing EJ: (continued)

- Implement further mitigation, compare alternatives.
- Address Title VI concerns.
- Implement further mitigation measures.
- Compare alternatives and costs to make decisions.
- Document processes and outcomes.

# Environmental Justice

## Expectations:

- Early and continuous public involvement.
- Make EJ an integral part of project development and impact analyses.
- Maximize utilization of information, resources and tools.
- Work with BEES as we further develop guidance tools.

# Environmental Justice

## Administration's View and Emphasis:

- Collaboration is imperative.
- Greater public expectations.
- It's the right thing to do.

# Land Use and Transportation

## Purpose:

To coordinate transportation and land use planning and decision-making to effectively manage our transportation system.



# Land Use and Transportation

## Key Points:

- Issues are part of the community impacts from a transportation project.
- Improved coordination ahead of a project is important.
- We need to develop policies and plans to proactively prevent transportation issues resulting from land use development.

# Land Use and Transportation

## Requirements:

- NEPA (cumulative and secondary impacts analysis for projects)
- Local comprehensive planning law (1999).

# Land Use and Transportation

## Expectations:

- Work with BEES as we further develop department policy and guidance.
- Work with BEES to improve land use consideration in projects.
- Continue broad participation on various committees.
- Continue to integrate work within Districts.
- Encourage staff to think beyond the pavement.

# Land Use and Transportation

## Administration's View and Emphasis:

- We need to think more about all the community impacts of transportation and DOT projects.
- DOT staff should be working cooperatively with local governments as they develop local plans.

# Conclusion

## Integration of Issues:

- Why should these issues be brought together?
- How can all of these issues come together?
- What do we hope to accomplish?
- What partnerships are needed?